

February 22, 2001

Mary L. Cottrell, Secretary

Department of Telecommunications and Energy

One South Station

Boston, MA 02110

RE: D.T.E. 00-82

Boston Edison Company d/b/a NSTAR Electric Transition Charge Reconciliation Filing

Dear Secretary Cottrell:

Enclosed for filing please find an original and five copies of the Massachusetts Division of Energy Resources (DOER) Motion for Late Intervention in the above referenced proceeding.

Thank you for your attention in this matter. If you have any questions or need additional information please feel free to contact me at (617) 727-4732 x-132.

Sincerely,

Matthew T. Morais

DOER Legal Counsel

Enclosures

cc: service list

CERTIFICATE OF SERVICE

I, Matthew T. Morais, certify that I have served a copy of the DOER Motion for Late Intervention in D.T.E. 00-82, contained herein, on each individual on the service list in D.T.E. 00-82 on file with the Department of Telecommunications and Energy.

Dated at Boston, Massachusetts, this 22nd day of February, 2001.

Matthew T. Morais

Legal Counsel

DOER

70 Franklin Street, 7th Floor

Boston, MA 02110-1313

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

RE: PETITION OF BOSTON)
EDISON COMPANY d/b/a NSTAR) DTE 00-82
FOR APPROVAL OF 2000)
TRANSITION TRUE-UP CHARGE)

MOTION OF THE MASSACHUSETTS
DIVISION OF ENERGY RESOURCES
FOR LATE INTERVENTION

I.

The Massachusetts Division of Energy Resources (DOER) hereby moves to intervene late and to be granted limited party status in the above-captioned proceedings pursuant to 220 CMR § 1.03(1)(b). DOER requests limited party status for the purpose of receiving notice of proceedings, comments, briefs, and any other information developed in the proceeding going forward.

II.

DOER did not receive the January 12, 2001 notice of the proceeding that stated the deadline date for intervention in the proceeding, and therefore, missed the January 30, 2001 intervention deadline. The Petitioner believes it's failure to receive notice of the intervention deadline date constitutes good cause to allow this motion for late intervention as a limited party to the proceeding.

III.

On November 2, 2000, Boston Edison Company d/b/a NSTAR Electric (BECo) filed the company's 2000 transition charge reconciliation filing with the Department of Telecommunications and Energy (Department). The Department approved the updated tariffs proposed in the BECo filing on December 22, 2000, subject to further investigation and reconciliation. The Department notice of public hearing and procedural conference for Phase II of DTE 00-82 was issued on January 12, 2000. On January 25, 2001 the Department hearing officer issued a memorandum to BECo requiring the company to submit the reconciliation proposal as a motion pursuant to 220 CMR §1.04(5). BECo filed the required motion on February 1, 2001 in compliance with the hearing officer's request. The February 1, 2001 BECo motion set forth the proposed procedural schedule for the Phase II proceeding.

IV.

DOER is an agency of the Commonwealth of Massachusetts established by Mass. G.L. c. 25A. DOER is charged with the responsibility to develop and administer programs related to energy conservation, alternative energy development, and non-renewable energy supply and resource development. DOER is also charged with the responsibility for advising, assisting and cooperating with other state, regional and federal agencies in developing appropriate programs and policies relating to energy planning and regulation in the Commonwealth of Massachusetts.

One of DOER's main goals in executing the responsibilities stated above is to ensure a reliable and low cost energy supply for the citizens of the Commonwealth. DTE 00-82 is directly related to the retail price of electricity charged to citizens of the Commonwealth. Therefore, DOER is substantially and specifically affected by the proceeding in that it directly impacts one of the main goals of the Agency. DOER seeks to intervene and be granted limited party status in this proceeding to have access to the information developed in the proceeding. Review of the information presented in the utility true-up proceedings enables DOER to represent the interests of the citizens of the Commonwealth and to help ensure that the approval of reconciliation filings is equitable to both the citizens of the Commonwealth and the utility companies. DOER will not submit substantive comments and will not actively participate in the proceeding. Therefore, granting the requested motion will not prejudice the parties to the proceeding.

As described above, good cause exists for DOER to be granted leave to intervene late as a limited party. No other party to this proceeding represents the same interests and policy goals as DOER. Therefore, granting the motion is in the public interest.

If the DOER motion for late intervention is allowed, service of all documents filed in this proceedings should be addressed to the following person whose name and address should be placed on the official service list compiled by the Secretary for this proceeding:

Matthew T. Morais

Legal Counsel

Division of Energy Resources

70 Franklin Street, 7th Floor

Boston, MA 02110-1313

(617) 727-4732 x132

WHEREFORE, The DOER requests that the Department grant the Motion to Intervene late and allow it to become a limited party to the proceeding, and grant such further relief as the Department deems just and proper.

Respectfully submitted,

MASSACHUSETTS DIVISION OF
ENERGY RESOURCES

By: _____

Matthew T. Morais

Legal Counsel

Division of Energy Resources

70 Franklin Street, 7th Floor

Boston, MA 02110-1313

(617) 727-4732 x 132

Dated: February 22, 2001